

REMARKS

In the Office Action dated February 6, 2004, the Examiner removed all of the previous claim rejections. Therefore, the status of the claims is the following.

Claims 1-8 and 16-23 have been examined in the application. Claims 9-15 have been withdrawn from consideration.

Claims 1, 5-8, 16, and 20-23 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-11 of US 6,597,918.

Claims 1-3, 5-8, 16-18, and 20-23 are rejected under 35 U.S.C. § 103(a) as being unpatentable over previously-cited Isomursu et al. (US 6,400,958, hereafter "Isomursu") in view of newly-cited Liao (US 6,185,208). Claims 8 and 23 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Isomursu and Liao in view of previously-cited Ayabe et al. (US 6,141,550, hereafter "Ayabe").

Liao relates to techniques for providing reference numbers for purposes of fragmenting a message for transmission over a network (e.g., a wireless data network) supporting only a limited size message.

With regard to the double patenting rejection, Applicant submits herewith a terminal disclaimer, thereby overcoming the double patenting rejection.

Claim 1 recites segmenting input message data into a plurality of short message data fields and inserting a segmented message data field, a field indicating the number of segmented short messages and a field indicating a current short message number into the user data field. The Examiner concedes that Isomursu does not teach a field indicating the number of short

messages. The Examiner asserts that Liao (col. 5, lines 17-55) makes up for this deficiency of Isomursu, but Applicant disagrees. The cited portion of Liao discloses a message 202, which includes sub-messages 204, 206, 208, 210, etc. See Fig. 2. Each of the sub-messages includes a reference number Rn and a series number Sn. The reference number Rn refers to the original message 202, and the series number Sn identifies a particular sub-message of a message. Thus, neither the reference number Rn nor the series number Sn corresponds to a field indicating the number of segmented short messages, as recited in claim 1. Therefore, the combination of Isomursu and Liao fail to teach or suggest all of the limitations of claim 1.

Applicant submits that claim 1 and its dependent claims 2-7 are allowable over the prior art for the above-described reasons.

With further regard to claim 5, Applicant submits that Isomursu fails to teach or suggest the feature of inserting a reference number field, which indicates a number for referring to a type of data connection service employed, into a position next to the data connection service identifier in the user data field. Instead, Isomursu only discloses inserting an application identifier into the INFO field. Moreover, the INFO field does not correspond to the user data field recited in the claim. Rather, the INFO field is an information field of the short message transmission frame containing the actual short message in characters. See col. 6, lines 34-38. Therefore, claim 5 is allowable for this additional reason.

Furthermore, claim 20 is allowable over the prior art for reasons analogous to those for claim 5.

Also, claim 8 is allowable over the prior art, at least because of its dependence from claim 1 and because Ayabe does not make up for the deficiencies of Isomursu and Liao.

Additionally, Applicant submits that claims 16-23 are allowable over the prior art for reasons analogous to those presented above for claims 1-8.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Cameron W. Beddard
Registration No. 46,545

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: May 6, 2004